



Let's be Right

on

FLAG ETIQUETTE

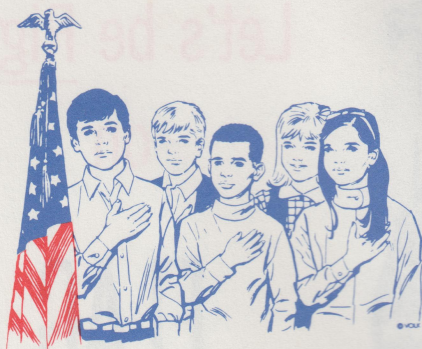


Distributed by

THE AMERICAN LEGION

National Americanism Commission

INDIANAPOLIS, INDIANA 46206



PLEDGE OF ALLEGIANCE

This is our pledge to our country. You hear it a lot. What does it mean?

- "I pledge allegiance"** — I promise to be true
- "to the flag"** — to the sign of our country
- "of the United States of America,"** — each state that has joined to make our country
- "and to the Republic"** — a republic is a country where the people choose others to make laws for them. The government is for the people.
- "for which it stands,"** — the flag means the country
- "one Nation"** — a single country
- "under God,"** — the people believe in a supreme being
- "indivisible,"** — the country cannot be split into parts
- "with liberty and justice"** — with freedom and fairness
- "for all."** — for each person in the country...you and me.

The pledge says you are promising to be true to the U.S.A.

The Flag of The United States of America

This booklet is published by The American Legion in an effort to increase the knowledge of the general public in the proper display and respect for the Flag of the United States of America. The contents of this booklet includes a duplication of the United States Flag Code as stated in Title 36, Chapter 10, United States Code, paragraphs 170-178 followed by interpretations of the code by The American Legion's National Americanism Commission.

In the 1976 revision of the Flag Code by Congress, the symbolism of the United States Flag is considered to be a living symbol representing a living country. This reference was added in response to the strong feelings of respect and reverence accorded the Flag by many of our citizens. In addition, the Flag represents the many freedoms, rights and responsibilities not entrusted to the citizens of any other country in the world. Therefore, the proper display and use of the United States Flag is the responsibility of every American citizen. It should be pointed out that the Flag Code is simply a guidelines for proper Flag Etiquette. The law does not provide penalties for violations of any of it's provisions. Misuse and improper display will, however, most likely incur ridicule and harassment from those more familiar with these provisions.

As with any codification of rules and customs, the Flag Code is not intended to cover every instance of display and use. The guidelines in the code cover a number of situations and practices which were traditionally used prior to the passage of the law. Common sense in most other cases will dictate the proper display and respect due the Flag. The interpretations following the Flag Code are the most frequently asked questions and The American Legion's response to the hundreds of letters and phone calls received annually.



THE FLAG CODE
Title 36, U.S.C., Chapter 10
As amended by P. L. 344, 94th Congress
Approved July 7, 1976

§ 170. National Anthem; Star-Spangled Banner

The composition consisting of the words and music known as The Star-Spangled Banner is designated the national anthem of the United States of America.

§ 171. Conduct during playing

During rendition of the national anthem when the flag is displayed, all present except those in uniform should stand at attention facing the flag with the right hand over the heart. Men not in uniform should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should render the military salute at the first note of the anthem and retain this position until the last note. When the flag is not displayed, those present should face toward the music and act in the same manner they would if the flag were displayed there.

§ 172. Pledge of Allegiance to the flag; manner of delivery

The Pledge of Allegiance to the Flag, "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.", should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute.

§ 173. Display and use of flag by civilians; codification of rules and customs; definition

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America is established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States. The flag of the United States for the purpose of this chapter shall be defined according to sections 1 and 2 of Title 4 and Executive Order 10834 issued pursuant thereto.

§ 174. Time and occasions for display; hoisting and lowering

(a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaves in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.

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Note to Readers

In the questions and answers beginning on page 12, you will find a reference notation at the end of each answer. This reference will refer the reader to the proper section of the Flag Code (e.g. (175) (b)) or indicate the authority from which the answer was derived. The abbreviation (A.C.) refers to the National Americanism Commission of The American Legion, (Officer's Guide) to The American Legion's publication entitled "Officer's Guide and Manual of Ceremonies" and (Drill Regulations) to the drill regulations of the U.S. Army. Other references will be self-explanatory.

(b) The flag should be hoisted briskly and lowered ceremoniously.

(c) The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

(d) The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

(e) The flag should be displayed daily on or near the main administration building of every public institution.

(f) The flag should be displayed in or near every polling place on election days.

(g) The flag should be displayed during school days in or near every schoolhouse.

§ 175. Position and manner of display

The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line,

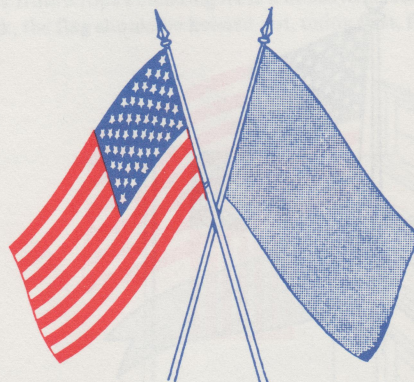


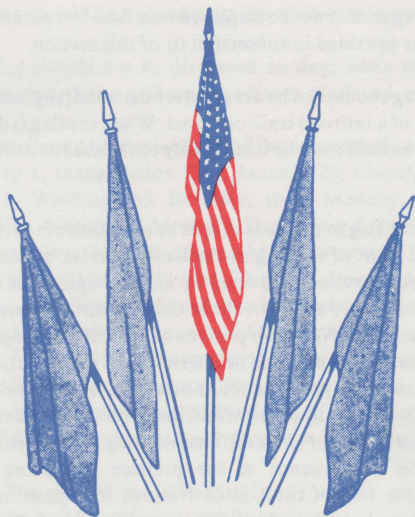
(a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.

(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.

(c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof: *Provided*, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

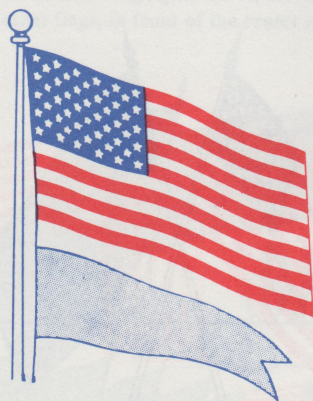
(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.



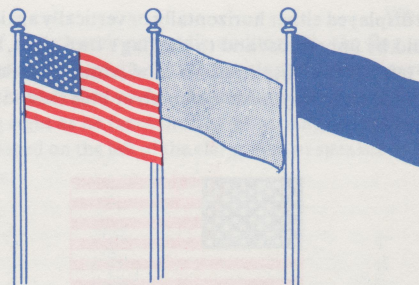


(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.

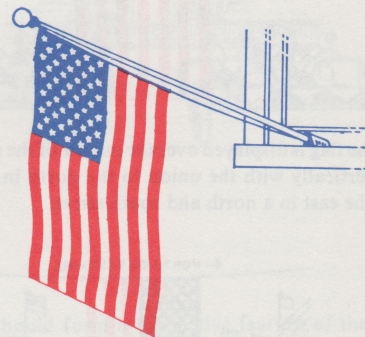
(f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.



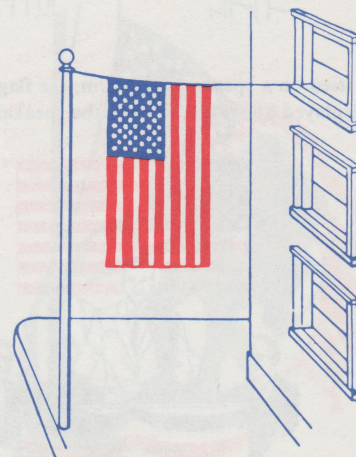
(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.



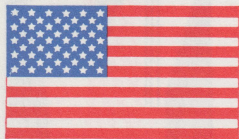
(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff.



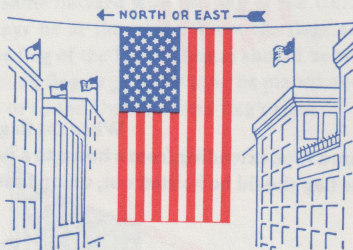
When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.



(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.



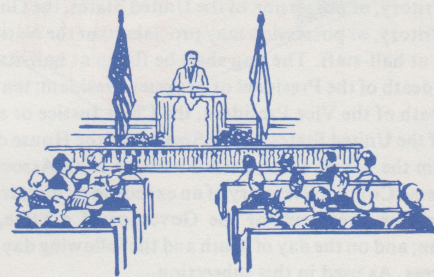
(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.



(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker.



When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.

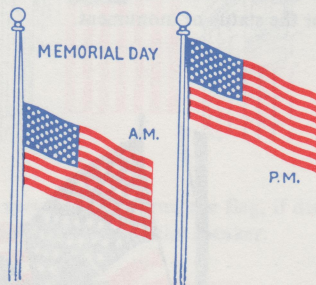


(l) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.



(m) The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff thirty days from the death of the President or a former President; ten days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. As used in this subsection—

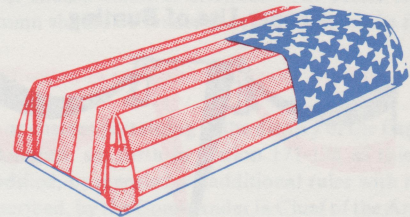
(1) the term “half-staff” means the position of the flag when it is one-half the distance between the top and bottom of the staff;



(2) the term “executive or military department” means any agency listed under sections 101 and 102 of title 5; and

(3) the term “Member of Congress” means a Senator, a Representative, a Delegate, or the Resident Commissioner for Puerto Rico.

(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.



(o) When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

§ 176. Respect for flag

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

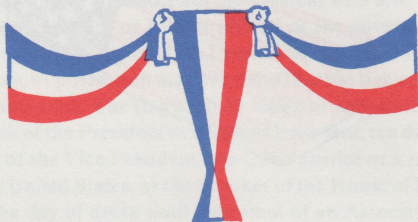
(a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

(b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.

(c) The flag should never be carried flat or horizontally, but always aloft and free.

(d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.

Proper Use of Bunting



(e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.

(f) The flag should never be used as a covering for a ceiling.

(g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

(h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

(i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

(j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.

(k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

§ 177. Conduct during hoisting, lowering or passing of flag

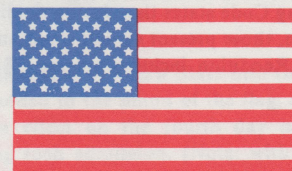
During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes.

§ 178. Modification of rules and customs by President

Any rule or custom pertaining to the display of the flag of the United States of America, set forth in section 171-178 of this title, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation.

The United States Flag Description

The following information is taken from Executive Order No. 10834 issued by President Dwight D. Eisenhower on August 24, 1959, which amended the provisions of Title 4, U.S.C., Chapter 1 and established the 50 star Flag as the official Flag of the United States, effective on July 4, 1960.



Proportions

Hoist (width) of Flag	1.	Fly (length) of union	0.76
Fly (length) of Flag	1.9	Width of each stripe	1/13
Hoist (width) of union . . .	7/13	Diameter of each star . . .	0.0616

Civilians and the Flag Code

1. Q. *Is there a specific version of the National Anthem which must be played?*

A. No. The American Legion recommends however, that the National Anthem subtitled "Service Version" written in the key of A-flat be utilized for general mass singing by adults and for band, orchestra, or other instrumental performances. (§170)

2. Q. *Are rock versions of the National Anthem appropriate?*

A. Although not a violation of any prescribed law, The American Legion is opposed to these renditions and encourages the use of the "Service Version" played and sung in a traditional manner. (§170)

3. Q. *Is it necessary for a person to stand and salute when the National Anthem is played?*

A. During rendition of the National Anthem when the Flag is displayed, all present except those in uniform should stand at attention facing the flag with the right hand over the heart. Men not in uniform should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should render the military salute at the first note of the Anthem and retain this position until the last note. When the Flag is not displayed, those present should face toward the music and act in the same manner they would if the Flag were displayed there. (§171)

4. Q. *Is it necessary for a person to stand and salute when the National Anthem is sung?*

a. The Flag Code states that during rendition of the National Anthem, those present should stand and render the proper salute. Rendition includes singing. (§171)

5. Q. *Is it necessary for a person to stand and salute when the National Anthem is played over a film tract, radio, "juke box" or other type of a musical reproduction machine in a theater, restaurant or other public place?*

A. No. It is recommended that persons pay respect only when the National Anthem is played by a band, orchestra or other musical instruments actually in the room. The National Americanism Commission believes that when the National Anthem is played over a radio or in a restaurant from a "juke box" or some other type of musical reproduction machine, or in a theater over a film tract, it would seem more or less forced and unnatural to pay special respect. (A.C.)

6. Q. *What should persons do when they are walking along the street and "The Star-Spangled Banner" is heard?*

A. If the music is outdoors, near and quite audible, all persons should stop, uncover, and stand at attention. (A.C.)

7. Q. *Is it proper to stand when "America," "God Bless America," "The Red, White and Blue" and other such patriotic songs are played?*

A. It is not required. However, on occasions when patriotic enthusiasm runs high, it is common practice. (A.C.)

8. Q. *What is the proper manner of pledging allegiance to the flag of the United States?*

A. The same manner as prescribed for the National Anthem, except persons in uniform shall salute and **remain silent**. (§172)



9. Q. *The Flag Code rules as described in Title 36, Chapter 10, U.S.C. pertain specifically to which Flag?*

A. For the purpose of Title 36, Chapter 10, U.S.C., the Flag referred to is as follows from Title 4, Chapter 1, U.S.C.

§1. Flag: stripes and stars on

The Flag of the United States shall be thirteen horizontal stripes, alternating red and white; and the union of the Flag shall be forty-eight stars white in a blue field.

§2. Same; additional stars

On the admission of a new State into the Union, one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission. (Note: with the admission of Alaska and Hawaii in 1959, there are now 50 stars in the blue field) (§173)

10. Q. *Is it proper to fly the Flag of the United States at night?*

A. The Flag Code states that it is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaves in the open. However, when a patriotic effect is desired, the Flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness. (§174) (a)

11. Q. *What is considered proper illumination when flying the Flag at night?*

A. "Proper illumination" is a light specifically placed to illuminate the Flag (preferred) or having a light source sufficient to illuminate the Flag so it is recognizable as such by the casual observer. (A.C.)

12. Q. *Is it permissible to fly the flag of the United States during inclement weather?*

A. The Flag should not be displayed on days when the weather is inclement, except when an all-weather Flag is displayed. (All-weather — nylon or other non-absorbent material) (§174) (c)

13. Q. *Is the Flag to be displayed only on National Holidays?*

A. The Code suggests displaying the Flag every day, but especially on holidays, including state holidays and during local celebrations. (§174) (d)

14. Q. *Is the Government required to fly the Flag every day?*

A. The Flag Code suggests the Flag be displayed daily on or near the main administration building of every public institution, in or near every polling place on election days and in or near every schoolhouse when school is in session. (§174) (e) (f) (g)

15. Q. *How may a Flag be used on a parade float?*

A. The Flag may be staffed at any location on the float or hung vertically, with the stripes vertically or horizontally, the blue union at the top. Since a float may be viewed from any or all four sides, the blue field, other than being at the top, is placed as common sense would dictate. (§175) (a) (i)

16. Q. *What is the proper manner of displaying the Flag on an automobile?*

A. It may be flown in an upright position from a staff firmly clamped to the chassis or clamped to the right front fender. (§175) (b)

17. Q. *Is it permissible to display another flag or pennant above the Flag of the United States?*

A. No, except during church services conducted by naval chaplains at sea, the church pennant may be flown above the Flag during church services for the personnel of the Navy. (§175) (c)

18. Q. *What is the United States Navy church pennant?*

A. The church pennant consists of a blue Latin cross on a white ground. It is entirely nonsectarian and is flown as a signal that church services are in progress. (U.S. Navy)

19. Q. *What governs displaying the Flag of the United States in connection with the flag of the United Nations or other national or international flags?*

A. No person shall display the Flag of the United Nations or any other nation or international flag equal, above, or in a position of superior prominence of honor to, or in place of, the Flag of the United States or any Territory or possession thereof: Provided, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the Flag of the United States at the headquarters of the United Nations. This particular section of the Code can be confusing if not read carefully. First the term "national or international flag equal" refers to the flags of other nations, it does not imply the flags cannot be flown at the same height. If it did, then it would be in conflict with international rules which forbid the display of the flag of one nation higher than another in time of peace. Secondly, "or in place of" does not take away the right of an individual to display the flag of another country on his/her own property. (§175) (c) (g)

20. Q. *When the Flag is not flown from a staff, how should it be displayed?*

A. It should be displayed vertically, whether indoors or out, and suspended so that its folds fall free as though the Flag were staffed. the stripes may be displayed either horizontally or vertically against a wall, the union should be uppermost and to the Flag's own right; that is, to the observer's left. When displayed in a window of a home or a place of business, the Flag should be displayed in the same way; that is, with the union or blue field to the left of the observer in the street. (§175) (i)

21. Q. *In what position should the Flag be when suspended over the middle of the street?*

A. In a north and south street the union (field of blue) should be to the east, and in an east and west street it should be to the north. (§175) (j)

22. Q. *What should be the position of the Flag when displayed from a staff in a church, public auditorium or other public meeting place, whether indoors or outdoors, on platform or on floor or ground level?*

A. When used on a speaker's platform, the Flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the Flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience. Prior to the Flag Code changes in 1976, the display procedure was somewhat different than as stated above. Now, the staffed Flag should always be placed to the right of the speaker without regard to a platform or floor level. (§175) (k)

23. Q. *When should the Flag be at half staff?*

A. (a) The Flag is half-staffed on Memorial Day, from sunrise until noon; it is displayed at full-staff from noon until sunset.
(b) By order of the President of the United States, or by the Governor of any State, territory or possession. On occasion, heads of the several departments and agencies of the U.S. Government may direct the flag to half-staff if deemed proper to do so. (§175) (m)

24. Q. *Should the Flag be half-staffed on Veterans Day?*

A. No, except it would be acceptable during a Veterans Day ceremony when Taps is being sounded, volleys fired, or wreaths are being laid. (A.C.)

25. Q. *For what period of time is the Flag half-staffed in case of the death of National figures?*

A. The Flag shall be half-staffed as follows: From the day of death and
— for 30 days for President or a former President
— for 10 days for Vice President, the Chief Justice or a retired Chief Justice of the United States, the Speaker of the House of Representatives
— until interment for Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, the Governor of a State, territory, or possession
— on the day of death and the following day for a Member of Congress.

The above shall apply unless proclamation by the President or a Governor indicates otherwise. (§175) (m)

26. Q. *What is the significance of displaying the Flag at half-staff?*

A. This gesture is a sign to indicate the nation mourns the death of an individual(s). (Naval and Military Custom)

27. Q. *Can the mayor order the Flag to be half-staffed?*

A. No, only the President of the United States or the Governor of your State may order the Flag to be half-staffed. (§175) (m)

28. Q. *What happens to the State flag when the Flag of the United States is half-staffed?*

A. The State flag or any other flag or pennant in a display is lowered or removed when the Flag is at half-staff. As indicated in the Flag Code, no flag or pennant should be placed above the Flag of the United States. (§175) (c) (f)

29. Q. *What is the proper display of the Flag when suspended from a ceiling or displayed over the middle of a large room, such as a public building, bank, railroad station, or other places through which many persons pass daily?*

A. When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering; if the building has more than one main entrance, the Flag should be suspended vertically near the center of the corridor or lobby with the union to the north when entrances are to the east and west, or to the east when entrances are to the north and south; if there are entrances in more than two directions, the union should be to the east. (§175) (o)

30. Q. *Should the Flag ever be used for advertising purposes?*

A. No. The Flag should never be used for advertising purposes in any manner whatsoever. This is not to say that businesses cannot fly or display the flag. What is objectionable is the use of the Flag as a pretense of being patriotic and as a "come-on" to purchase goods or services not directly involved in the manufacture and distribution of the Flag itself or utilizing the Flag, or portions of the Flag, as part of their symbol or trademark. (§176) (i)

31. Q. *May a Flag patch be worn on a jacket?*

A. No. According to the Code, only members of the military, firemen, policemen or patriotic organizations may wear a Flag patch on their **uniform**. Use of the Flag patch on costumes, athletic clothing or casual wear is inappropriate. (§176) (j)

32. Q. *How are unservicable Flags destroyed?*

- A. The Code suggests that, "when a Flag has served its useful purpose, it should be destroyed, preferably by burning". For individual citizens this should be done discretely so that the act of destruction is not perceived as a protest or desecration. Many American Legion Posts hold Flag Disposal Ceremonies on June 14 Flag Day each year. This ceremony creates a particularly dignified and solemn occasion for the retirement of unusable Flags. (§176) (k)

33. Q. *What is the proper respect to the Flag during the ceremony of hoisting or lowering the flag, or when the Flag is passing in a parade or in a review?*

- A. All persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the Flag in a moving column should be rendered at the moment the flag passes. (§177)

34. Q. *How are changes in the Flag Code made?*

- A. Since the Flag Code is Public Law, it may be changed by the passage of appropriate legislation in Congress, or, as provided in the law itself, by a proclamation of the President. (§178)

35. Q. *What is the significance of the gold fringe which we see on some American Flags?*

- A. Records indicate that fringe was first used on the Flag as early as 1835. It was not until 1895 that it was officially added to the National Flag for all regiments of the Army. For civilian use, fringe is not required as an integral part of the Flag, nor can its use be said to constitute an unauthorized addition to the design prescribed by statute. It is considered that fringe is used as an honorable enrichment only. (Military tradition)

36. Q. *Can the Flag be washed or dry-cleaned?*

- A. Yes. There are no provisions of the Flag Code which prohibit such care. The decision to wash or dry-clean would be dependent on the material. (A.C.)

37. Q. *What is the correct method of folding the Flag of the United States?*

- A. There are no Flag Code provisions which require any method, the following is traditional:

(a) Straighten out the flag to full length and fold lengthwise once.

(b) Fold it lengthwise a second time to meet the open edge, making sure that the union of stars on the blue field remains outward in full view. (A large Flag may have to be folded lengthwise a third time.)

(c) A triangular fold is then started by bringing the striped corner of the folded edge to the open edge.

(d) The outer point is then turned inward parallel with the open edge to form a second triangle.

(e) This diagonal or triangular folding is continued toward the blue union until the end is reached, with only the blue showing and the form being that of a cocked hat. (Military Tradition)

38. Q. *During a funeral in which the casket is draped with an American Flag, what is the proper conduct?*

- A. Not specifically covered by the Flag Code, the following is generally acceptable out of respect to the deceased and reverence to the Flag. Mourners should stand at attention and hold the headdress over the left breast at any time the casket is being moved by the pallbearers and during the service at the grave, including the firing of volleys and the sounding of Taps. During prayer they will also bow their heads. In cold or inclement weather, they will remain covered. Those in uniform render the military salute when the casket is being moved by the pallbearers and during the firing of volleys and the sounding of Taps. (A.C.)

Q. *May a person, other than a veteran have their casket draped with an American Flag?*

- A. Yes, although this honor is usually reserved for veterans or highly regarded State and National figures, the Flag Code does not prohibit this use for any American citizens. (A.C.)

40. Q. *What is the proper placement of two or more United States Flags in a church or auditorium?*

- A. Regardless of the number of United States Flags, each would be displayed in accordance with Flag Code provisions. For most functions, more than one flag is unnecessary. For a patriotic display as a show of color, the Flags may be displayed as common sense and good taste dictate. (A.C.)

41. Q. *What is meant by the Flag's own right? (as used in §175 and subsections (d) and (i))*

- A. The "right" as the position of honor developed from the time when the "right hand" was the "weapon hand" or "point of danger." The right hand raised without weapon was a sign of peace. The right hand, to any observer, is the observer's left. Therefore, as used in the Flag Code, the Flag and/or blue field is displayed to the left of the observer, which is the flag's "own right."

42. Q. *What are the penalties for violating the Flag Code?*

- A. None. Title 36, U.S.C., Chapter 10, Paragraphs 171-178 were written to codify accepted practices and traditions in respect to the Flag. Each statement in the Flag Code is written in the conditional context of the word "should," indicating this is what is expected. Violations of this conduct are a breach of etiquette and not punishable by law. (A.C.)

43. Q. *Are there penalties for public contempt of the Flag?*

- A. Yes. Under Title 18, U.S.C., Chapter 33, §700, Congress indicated certain acts of public contempt for the Flag were punishable by fines and/or imprisonment. The law reads as follows:

§700. Desecration of the Flag of the United States;

(a) (1) Whoever knowingly mutilates, defaces, physically defiles, burns, maintains on the floor or ground, or tramples upon any flag of the United States shall be fined under this title or imprisoned for not more than one year, or both.

(2) This subsection does not prohibit any conduct consisting of the disposal of a flag when it has become worn or soiled.

(b) As used in this section, the term "flag of the United States" means any flag of the United States or any part thereof, made in any substance, or any size, in a form that is commonly displayed.

(c) Nothing in this section shall be construed as indicating an intent on the part of Congress to deprive any State, territory, possession, or the Commonwealth of Puerto Rico of jurisdiction over any offense over which it would have jurisdiction in the absence of this section.

(d) (1) An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgement, decree, or order issued by a United States district court ruling upon the constitutionality of subsection (a).

(2) The Supreme Court shall, if it has not previously ruled on the question, accept jurisdiction over the appeal and advance on the docket and expedite to the greatest extent possible.

(3) The Clerk of the Supreme Court shall promptly notify the Clerk of the House of Representatives and the Secretary of the Senate of the receipt of such certification and each House of Congress shall have the right to intervene in the case for the purpose of defending the constitutionality of this section.

The American Legion and the Flag Code

1. Q. *Does wearing an American Legion cap constitute "being in uniform"?*

- A. Yes. This is not a provision of the Flag Code but prescribed by regulations of The American Legion. Legionnaires wearing the Legion cap are instructed to deport themselves as to salutes, etc., as if they were in military uniform. A noted exception is the wearing of the cap indoors. (A.C.)

2. Q. *Wearing a Legion cap, is it proper to render the military salute while reciting the "Pledge of Allegiance"?*

- A. No. If a person in uniform renders a military salute during the "Pledge", they are to "remain silent." (§172)

3. Q. *If everyone at our Legion meeting is wearing a Legion cap, how is it possible for us to "Pledge Allegiance" to our country, given the answer in question #2?*

- A. The Americanism Commission has deemed it appropriate for Legionnaires to come out of uniform (uncover), placing the cap and right hand over the heart, and reciting the "Pledge." To do otherwise would be a violation of Flag Code revisions or regulations of The American Legion. (A.C.)

4. Q. *Is it appropriate to sing the National Anthem while saluting the Flag?*

- A. Yes, it is appropriate to sing the National Anthem while saluting the flag; however, since it may be somewhat awkward, unnatural and incongruous to render the military salute while singing, it is permissible to remove the cap with the right hand and hold it at the left shoulder, the hand being over the heart. It is noted that the section pertaining to the National Anthem does not contain the "remain silent" clause associated with the "Pledge of Allegiance". (A.C.)

5. Q. *Is it proper for women Legionnaires (cap or complete uniform) to remove their Legion caps during the "Pledge of Allegiance", National Anthem and during prayer.*

- A. Since it may be inconvenient for women Legionnaires to remove their caps, it is permissible to conduct themselves as if they were not wearing a cap, i.e., place right hand over heart to recite the Pledge and during the National Anthem, and stand in proper manner during prayer. Should she elect to render the military salute during the Pledge, she must "remain silent." (A.C.)

6. Q. *Is it proper for Legionnaires in uniform to remove cap while attending worship?*
- A. The cap should be removed at the church door, except that a Color Guard on duty wear the cap. (Officer's Guide).
7. Q. *How shall Legionnaires in uniform conduct themselves at the graveside?*
- A. At the graveside the cap should be held in the right hand over the left breast during the entire service. In cold and inclement weather the cap should not be doffed. (Officer's Guide)
8. Q. *What is the correct way to wear a replica of the American Flag as an arm patch on the uniform?*
- A. By resolution, the Flag patch, when placed on an American Legion uniform, may be placed at the shoulder of either sleeve as long as the blue field is forward. Additionally, no emblem, name or patch shall be worn above the Flag of the United States shoulder patch on the same sleeve. The decision as to the sleeve on which the patch is to be worn is left to the judgement of the individual, Post or Color Guard involved.
- This proviso pertains only to the uniform of The American Legion.**
- As the provision of the Flag Code does not specify how the Flag patch is to be worn, **any other organization may apply the Flag patch as they deem appropriate.** This includes members of the military, fire, police or patriotic organization. (NEC Resolution, May 1986) (§176) (j)
9. Q. *What should be the position of the Flag of the United States when displayed from a staff in a meeting place of an American Legion Post?*
- A. In compliance with American Legion policy, the National Colors and Post flag, when in position, should be in position at either side and just in advance of the Commander's station; the National Colors on the right of the Commander, and Post Colors on his left when facing the audience, regardless of whether the Commander is on a platform or on ground level and the Flags are posted on another level. (§175) (k)
10. Q. *Is it proper to use a set of desk flags in lieu of staffed flags for Legion meetings?*
- A. While not inappropriate, the Americanism Commission strongly recommends, whenever possible, the use of staffed flags, properly presented, for all meetings of The American Legion. (A.C.)

11. Q. *When Initiation Ceremonies and/or other ceremonies and rituals are conducted by a Legion Post, how should the meeting be opened and closed?*
- A. Under the same procedure as any other Post meeting, including the advancement and retirement of Colors. (Officer's Guide)
12. Q. *What is meant by the term "breaking the colors"?*
- A. The term "breaking the colors" most likely evolved from "General Instruction #3" in the *Officer's Guide and Manual of Ceremonies* which states: "Comrades should be careful never to pass between the Flags and the station of the commander." In many areas of the country, this area is considered "hallowed ground" and violations are quickly noted. There is, however, no reference to this custom in Flag code provisions. (A.C.)
13. Q. *When should small Flags displayed on graves on Memorial Day to be removed?*
- A. All Legion Posts should follow the practice established by regulations in national cemeteries by removing Flags from veterans' graves as soon as possible after Memorial Day (Resolution No. 322, 1955 National Convention).
14. Q. *Is it proper to decorate the graves of American Legion Auxiliary members with the Flag on Memorial Day?*
- A. No. It is contemplated that only the graves of those who served in the Military or Naval Forces of the country shall be decorated with Flags on Memorial Day. There is no sanction, custom, law or regulation to decorate any other graves with flags. (A.C.)
15. Q. *Is it proper for a Legion Post to lower the United States Flag to "half-staff" to honor a deceased member of the Post?*
- A. No. The lowering of the Flag is only authorized on Memorial Day, from sunrise until noon, and by executive order of the President or State Governor. If it is so desired, the organizational flag may be lowered for this purpose. (A.C.)
16. Q. *May a Legion Post display the Flag twenty-four hours a day and during all kinds of weather without regard to illuminating the Flag or using an all-weather Flag?*
- A. American Legion Posts are to be guided by the same provisions of the Flag Code as are civilian displays. The Americanism Commission, in fact, encourages Legion Posts to take special care to adhere to these provisions as a proper example for the community. (A.C.) (§174) (a) (c) (d)

Color Guards and the Flag Code

1. Q. *Of what does a color Guard consist?*
 - A. A basic color Guard is composed of four persons, carrying and guarding one flag of the United States and one organization flag (or Post Color). The two Color bearers and the two guards (armed) are always lined up facing the marching front from left to right as follows: guard, organization flag or banner, the Flag of the United States, guard. (Officer's Guide)
2. Q. *Is it proper to use more than two guards in a Color Guard?*
 - A. Yes. Many Color Guards drill in threes. This formation uses two guards to the Flag of the United States and two guards to the organization flag. (Officer's Guide)
3. Q. *How many guards may a Color Guard have?*
 - A. For the purposes of competition, The American Legion restricts a Color Guard to a minimum of four and up to a maximum of seventeen. For most purposes, however, four or five should be sufficient. (Officer's Guide)
4. Q. *In advancing the colors, how should the Flag of the United States and other flags be crossed at the front of the room?*
 - A. At no time should any other flag or banner pass in front of the Flag of the United States, ("front" means nearest or next to the presiding officer. (Resolution No. 451, 1959 National Convention.)
5. Q. *Is it proper, when desirable, for the Color Guard to be led by the Sergeant-at-Arms?*
 - A. Yes. The Colors do not necessarily lead any procession. They may be preceded by officers, an escort, and occasionally they may be placed in the center of a marching unit. All are correct except that the colors shall not at any time be in the rear of the center line of a unit. (Officer's Guide)
6. Q. *In a crowded hall where it is necessary to advance (or retire) the Colors in a single file, what formation should the Color Guard use?*
 - A. By the right file march. The guard may be halted in file and the Color bearers step out to post the Colors. When retrieving the Colors, the Color bearer with the Flag of the United States retrieves his Flag first and marches to the guard who steps off leading the file to the rear of the hall. The Post Color follows in order and it is followed by its guard. (Officer's Guide)

7. Q. *In civilian use of Color Guards, including rituals, ceremonial occasions, etc., what authority on Color Guard formations and procedures should govern?*
 - A. Military regulations governing Color Guards in force at the time or such other regulations as have been established authoritatively by custom. (Drill Regulations)
8. Q. *How should a Color Guard (the Flag of the United States, organization flag or Post Color and two guards) maneuver or conduct itself during any marching formation?*
 - A. The Color Guard is formed and marched in one rank at close interval, the Color bearers in the center. The armed members of the Color Guard execute neither the loadings nor firings. In rendering honors they execute all required movements in the manual; in drill, all movements unless otherwise directed. (United States Drill Regulations)
9. Q. *Is it proper for a Color Guard to execute TO THE REAR MARCH?*
 - A. No. A Color Guard does not execute TO THE REAR MARCH or ABOUT FACE. If it is necessary to reverse the direction of a Color Guard, it can be done by a number of commands known to any qualified guard officer. In such a movement the Flag of the United States must be kept to the right throughout the maneuver. This cannot be done in TO THE REAR MARCH or ABOUT FACE. (Drill Regulations)
10. Q. *While marching or standing guard in a place of worship or during a military funeral in a church, is the cap worn by the Color Guard?*
 - A. Yes. The cap should be worn in church by the Guard of Honor, the Color Guard and the Commander of same while in marching order or standing guard. When seated in pews, the cap should be removed; however, armed guards always remain covered wherever they are. Only when they do not bear arms do they uncover in church or while a prayer is uttered outdoors. In the case of the Color bearers, if the guards are armed, the entire Color Guard is armed and therefore follows the above rule. (Officer's Guide)
11. Q. *What is proper procedure to be followed by a Color Guard during an American Legion military funeral in a church?*
 - A. The proper procedure to be followed during an American Legion military funeral is outlined in the Officer's Guide.

NOTES

The American Legion is

- an organization of veterans serving other veterans, their widows and their orphans.
- universally recognized as the originator of the G.I. Bill of Rights.
- concerned about National Security, Aerospace, Civil Defense, Law and Order and Military and Naval Affairs.
- located in nearly 16,000 communities, providing leadership and service to the community, state and nation.
- a sponsor of many youth programs including, American Legion Baseball, Oratorical Contests, Boys State, Scouting, Special Olympics, School Award Medals and scholarships.

Are You Eligible?

If you served honorably on active duty in the U.S. Military for at least one day during any of the following periods, you are eligible.

WWI	April 6, 1917 — November 11, 1918
WWII	December 7, 1941 — December 31, 1946
Korea	June 25, 1950 — January 31, 1955
Vietnam	December 22, 1961 — May 7, 1975

If you are eligible, then we invite you to be a member. Just contact any Legion member, or visit or call the Legion Post in your neighborhood, (check local directory) or write or call our National Headquarters today.



Copies of "Let's Be Right on Flag Etiquette" can be purchased from The American Legion, National Emblem Sales, P. O. Box 1050, Indianapolis, Indiana 46206.

Consult current Emblem Catalog for prices.